

AGENDA



Thursday, July 27, 2006

 [Back](#)  [Print](#)

Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED) RECOMMENDATION FOR COUNCIL ACTION

ITEM No. 113

Subject: C14-06-0061 - 8509 Southwest Parkway - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8509 Southwest Parkway (Barton Creek Watershed-Barton Springs Zone) from general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning to change a condition of zoning. First reading approved on June 22, 2006. Vote: 7-0. Applicant and Agent: Tim Jamail. City Staff: Robert Heil, 974-2330.

Additional Backup Material

(click to open)

-  [Staff Report](#)
-  [Ordinance](#)

For More Information: Robert Heil, 974-2330.

SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-06-0061 - 8509 Southwest Parkway

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8509 Southwest Parkway (Barton Creek Watershed-Barton Springs Zone) from general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning to change a condition of zoning.

DEPARTMENT COMMENTS:

The site is a 10 acre site on Southwest Parkway developed with one single-family home. A conditional overlay limits the site to one residential unit. The request is to remove that conditional overlay and replace it with a conditional overlay limiting the site to less than 2000 daily vehicle trips.

This site is not located over the Edward's Aquifer Recharge Zone. The site is in the Barton Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone. Future development applications at the time of this report are subject to the SOS. This tract lies in the Contributing Zone. SOS Ordinance that allows 25% impervious cover in the Contributing Zone.

OWNER/AGENT: Tim Jamail

DATE OF FIRST READING: June 22, 2006 Approved staff's recommendation of GO-MU-CO on first reading on consent (7-0)

PLANNING COMMISSION ACTION: May 23, 2006: Approved staff's recommendation of GO-MU-CO on consent [*J.REDDY; K.JACKSON 2ND*] (8-0) *G.STEGEMAN – ABSENT*

CITY COUNCIL ACTION: July 27, 2006

ORDINANCE NUMBER:

ASSIGNED STAFF: Robert Heil, e-mail: robert.heil@ci.austin.tx.us

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0061 – 8509 Southwest Parkway

PC. DATE: May 23, 2006

ADDRESS: 8509 Southwest Parkway

OWNER/AGENT: Tim Jamail

ZONING REQUEST: GO-MU-CO to GO-MU-CO

SUMMARY STAFF RECOMMENDATION:

Staff recommends general office -mixed-use-conditional overlay (GO-MU-CO) combining district zoning for the tract. The current conditional overlay limits the site to one residential unit. The proposed conditional overlay would remove that restriction and limit daily vehicle trips to no more than 2000 per day.

PLANNING COMMISSION RECOMMENDATION:

May 23, 2006: Approved staff's recommendation of GO-MU-CO on consent [J.REDDY; K.JACKSON 2ND] (8-0) G.STEGEMAN – ABSENT

DEPARTMENT COMMENTS:

The site is a 10 acre site on Southwest Parkway developed with one single-family home. A conditional overlay limits the site to one residential unit. The request is to remove that conditional overlay and replace it with a conditional overlay limiting the site to less than 2000 daily vehicle trips.

Staff recommends approval of the request. The site lies on a major arterial appropriate for the base zoning of GO. The conditional overlay of only one residential unit is overly restrictive. More residential units, either alone, or part of a mixed use project are appropriate for the site.

This site is not located over the Edward's Aquifer Recharge Zone. The site is in the Barton Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS. This tract lies in the Contributing Zone. SOS Ordinance that allows 25% impervious cover in the Contributing Zone.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO-MU-CO	One single family home
<i>North</i>	LR, SF-2 and LR	Undeveloped
<i>South</i>	RR	Scattered Single Family Homes
<i>East</i>	IP	Undeveloped
<i>West</i>	DR and RR	Scattered Single Family Homes

AREA STUDY: The site falls within the Oak Hill neighborhood plan, currently underway.

TIA: Not Required

WATERSHED: Barton Creek

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: No **HILL COUNTRY ROADWAY:** No

REGISTERED COMMUNITY ORGANIZATIONS:

- Oak Hill Association of Neighborhoods (OHAN)
- Save Barton Creek Association
- Barton Springs Coalition
- Barton Springs/Edwards Aquifer Conservation District
- Save Our Springs Alliance

SCHOOLS:

- Oak Hill Height Elementary School
- Small Middle School
- Austin High School

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Southwest Parkway	190'	2 @ 36'	Major Arterial	No	No	No
Sunset Ridge	50'	20'	Local	No	No	No

CITY COUNCIL DATE: **ACTION:**

June 22, 2006:

Approved staff's recommendation of GO-MU-CO on first reading on consent (7-0)

July 27, 2006:

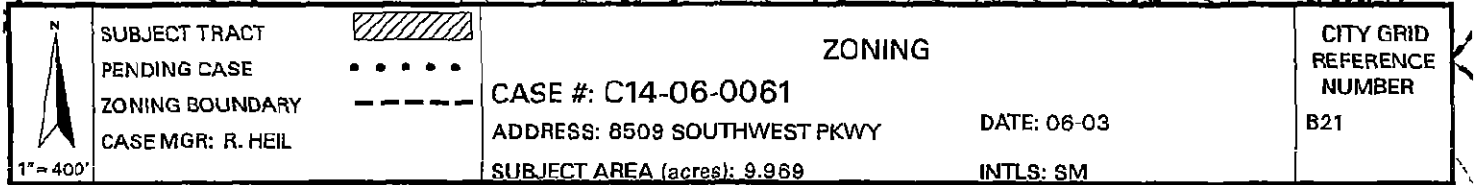
ORDINANCE READINGS: 1st: 6/22/06 2nd 3rd

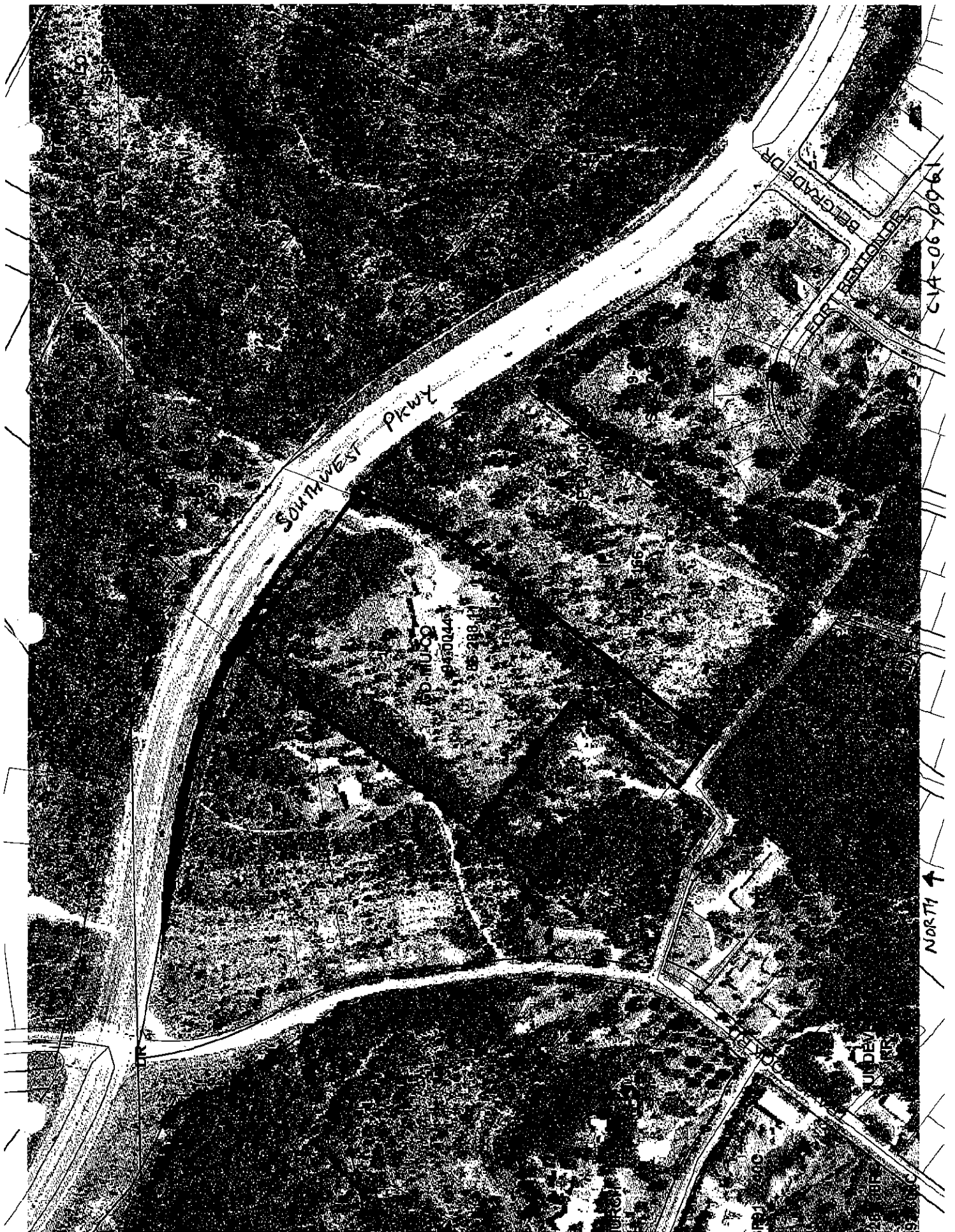
ORDINANCE NUMBER:

C14-06-0061

CASE MANAGER: Robert Heil
e-mail address: robert.heil@ci.austin.tx.us

PHONE: 974-2330





SUMMARY STAFF RECOMMENDATION

Staff recommends general office-mixed-use-conditional overlay (GO-MU-CO) combining district zoning for the tract. The current conditional overlay limits the site to one residential unit. The proposed conditional overlay would remove the existing restriction but limit daily vehicle trips to no more than 2000 per day.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

The site lies on a major arterial appropriate for the base zoning of GO. The conditional overlay of only one residential unit is overly restrictive. More residential units, either alone, or part of a mixed use project are appropriate for the site.

EXISTING CONDITIONS**Environmental**

- 1) This site is not located over the Edward's Aquifer Recharge Zone. The site is in the Barton Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone.
- 2) Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone, 20% impervious cover in the Barton Creek watershed and 25% impervious cover in the Contributing Zone. This tract lies in the Contributing Zone.
- 3) According to flood plain maps, there is no flood plain within the project location.
- 4) The site is located within the endangered species survey area.
- 5) Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
- 6) At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves sinkholes, and wetlands.
- 7) Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.

Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 17,542 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

If the requested zoning is granted, it is recommended that access to Sunset Ridge be prohibited as a condition of zoning because Sunset Ridge is currently a local street with substandard design and commercial tracts should not access local streets.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Southwest Parkway	190'	2 @ 36'	Major Arterial	No	No	No
Sunset Ridge	50'	20'	Local	No	No	No

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, and utility adjustments are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The water and wastewater utility construction must be inspected by the City.

Site Plan

This site is located within the Barton Springs Zone and the Drinking Water Protection Zone, additional water quality requirements will be requested during the site plan process.

Hill Country Roadway

The site is located within 1,000 feet of Southwest Parkway within a Hill Country Roadway Corridor. The site is located within the low zone of this corridor. The site

may be developed with the following maximum floor-to-area ratio (FAR): The FAR would comply with the base zoning district

The height of a building in the Southwest Parkway corridor may not exceed the lesser of :

- 1) the height permitted by the zoning or the site plan approved for the property or:
- 2) 60 feet.

Except for clearing necessary to provide utilities or site access, a 50 foot vegetative buffer will be required along Southwest Parkway. A building must be at least 75 feet from the dedicated right of way or drainage easement.

At least 40% of the site (excluding dedicated right-of-way) must be left in a natural state.

Prior to the issuance of a building permit for the proposed use, a site plan must be approved by the Planning Commission

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 8509 SOUTHWEST PARKWAY FROM GENERAL
3 OFFICE-MIXED USE-CONDITIONAL OVERLAY (GO-MU-CO) COMBINING
4 DISTRICT TO GENERAL OFFICE-MIXED USE-CONDITIONAL OVERLAY
5 (GO-MU-CO) COMBINING DISTRICT.

6
7 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
8

9 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to
10 change the base district from general office-mixed use-conditional overlay (GO-MU-CO)
11 combining district to general office-mixed use-conditional overlay (GO-MU-CO)
12 combining district on the property described in Zoning Case No. C14-06-0061, on file at
13 the Neighborhood Planning and Zoning Department, as follows:
14

15 A 9.9692 acre tract of land, more or less, out of the J. Hudson Survey No. 530 and
16 the R.M. Johnson Survey No 74, Travis County, the tract of land being more
17 particularly described by metes and bounds in Exhibit "A" incorporated into this
18 ordinance (the "Property"),
19

20 locally known as 8509 Southwest Parkway, in the City of Austin, Travis County, Texas,
21 and generally identified in the map attached as Exhibit "B".
22

23 PART 2. The Property within the boundaries of the conditional overlay combining district
24 established by this ordinance is subject to the following conditions:
25

26 A site plan or building permit for the Property may not be approved, released, or
27 issued, if the completed development or uses of the Property, considered cumulatively with
28 all existing or previously authorized development and uses, generate traffic that exceeds
29 2,000 trips per day.
30

31 Except as specifically restricted under this ordinance, the Property may be developed and
32 used in accordance with the regulations established for the general office (GO) base district
33 and other applicable requirements of the City Code.
34
35
36
37

1
2 **PART 3.** This ordinance takes effect on _____, 2006.
3

4
5 **PASSED AND APPROVED**
6

7 §
8 §
9 _____, 2006 § _____
10

11 Will Wynn
12 Mayor
13

14 **APPROVED:** _____ **ATTEST:** _____
15 David Allan Smith Shirley A. Gentry
16 City Attorney City Clerk

EXHIBIT A

FIELD NOTES FOR 9.9692 ACRES OF LAND LOCATED IN THE J. HUDSON SURVEY NO. 530 AND THE R. M. JOHNSON SURVEY NO. 74, TRAVIS COUNTY, TEXAS, BEING THAT SAME 9.9692 ACRE TRACT AS RECORDED IN VOLUME 10744, PAGE 2088, TRAVIS COUNTY DEED RECORDS, AND BEING A PORTION OF THAT CERTAIN 41.8945 ACRE TRACT RECORDED IN VOLUME 9046, PAGE 473, TRAVIS COUNTY DEED RECORDS, SAID 9.9692 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a half-inch steel pin found in the southwest right-of-way (ROW) line of Southwest Parkway, also in the fenced northwest line of said 41.8945 acre tract, from which pin the northwest corner of said 41.8945 acres bears N40°01'34"E 212.08 feet;

THENCE along said ROW line the following three courses:

- 1) S60°55'54"E 110.81 feet to a half-inch steel pin found for angle point,
- 2) S53°58'57"E 187.74 feet to a half-inch steel pin found for angle point,
- 3) along a curve to the right a chord which bears S45°59'18"E 175.32 feet, with an arc length of 175.43 feet and a radius of 1410.00 feet, to a steel spindle set for the northeast corner hereof;

THENCE S24°15'11"W 262.58 feet to a steel pipe found for angle point;

THENCE S41°13'34"W 821.00 feet to a steel pipe found in the northeast ROW line of Sunset Ridge Road, for the most southern corner hereof;

THENCE along said ROW line the following two courses:

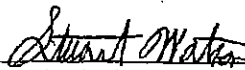
- 1) N48°45'59"W 83.03 feet to a half-inch steel pin found for angle point,
- 2) N48°38'40"W 50.00 feet to a steel pipe found for the southerly southwest corner hereof;

THENCE N41°31'31"E 328.95 feet to a steel pipe found for an internal corner hereof;

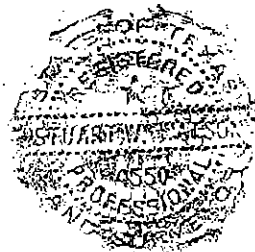
THENCE N48°59'55"W 400.82 feet to a steel pipe found in the fenced northwest line of said 41.8945 acre tract, for the northerly southwest corner hereof;

THENCE N40°01'34"E 712.94 feet to the POINT OF BEGINNING, containing 9.9692 acres of land.

Surveyed July 29, 1992 by:


Stuart W. Watson, RPLS 4550
9501 Cap. of Tex. Hwy, #303
Austin TX 78759 Ph 346-8566

Bearing Basis: Previous survey of 9.9692 acre tract
Tax Parcel No.: 01-0340-0201
Austin Grid Map Location: B-21





 1" = 400' UNDEV.	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: R. HEIL	 	ZONING EXHIBIT B CASE #: C14-06-0061 ADDRESS: 8509 SOUTHWEST PKWY SUBJECT AREA (acres): 9.969	DATE: 06-03 INTLS: SM	CITY GRID REFERENCE NUMBER B21
-------------------------	---	----------	---	--------------------------	---